



Special Assessment Task Force

4/4/2022 - Minutes

1. Welcome And Introductions

The subcommittee of the Special Assessment Task Force is composed of Dustin Gawrylow, Kate Herzog, Mike Schmitz, and Kevin Strege.

Commissioner Splonskowski joined the meeting at 3:50 PM.

2. Approval Of Minutes

Mike Schmitz made a motion to approve the minutes as presented, Kate Herzog seconded. All members present voted aye,

M/C.

3. Review The Draft Ballot Language Provided By Dustin Gawrylow.

Dustin Gawrylow provided draft language for the Home Rule Charter. The draft language included nine separate paragraphs addressing the levy and collection of an infrastructure fee for street maintenance purposes. The subcommittee went through each paragraph with suggested edits.

Paragraph A: The general consensus would be that specific language belongs in the ordinance and combining paragraphs A and C from Gawrylow's handout seems appropriate. Ms. Herzog will compile the draft language prior to the next meeting.

Paragraph B: The subcommittee discussed the need to address existing special assessment balances and that upon adoption of the Home Rule Charter amendment, existing street maintenance special assessments would be assumed by the street maintenance fund. Mr. Gawrylow will provide revised language for the next meeting.

Paragraph C: Combined with paragraph A.

Paragraph D: Subcommittee agreed no changes were necessary.

Paragraph E: The group discussed requesting City staff work with the City Attorney to develop accurate language to address the transition away from special assessments to a new infrastructure fee 120 days before implementation. The group also discussed the desire to include no less than two public input meetings before the commission's final approval of an ordinance. Keith Hunke, City Administrator, added that if approved at the November 2022 election, the earliest the street maintenance fee could be implemented would be January 2024. The general consensus is to review the draft language prepared by the City Attorney at the next meeting.

Paragraph F: The group agreed to task City staff with developing a web-based estimator to allow property owners to view an estimate of the monthly street maintenance fee by parcel. The subcommittee would like to have the estimator available before the vote in November 2022.

Paragraph G: The group discussed the need for 100% of the funds necessary for street maintenance to be held by January 1st of each construction year. A cap of 110% would help to prevent an accumulation of extra funds. The group discussed slight annual increases to help create a smoothing effect to avoid large jumps to the street maintenance fee. The consensus was for the Commission to establish a policy to address the minimum amounts held in the street utility fee fund to help ensure its solvency.

Paragraph H: The group agreed that new language would need to be developed through the legislative process to accommodate the needs of Bismarck Public School and Bismarck Parks and Recreation District. The general consensus was that before full implementation, one of the following must occur: 1) Legislature revises the language in North Dakota Century Code 2) Political Subdivisions provide a letter of support for the Street Maintenance fee.

Paragraph I: The general consensus is that the language is appropriate as worded. Mr. Hunke noted that there are current special assessments resulting from new development that support new parks, public open space, and stormwater facilities. Mr. Hunke stated that a better definition of the word green-field would need to be developed to preserve special assessments for public parks, public open spaces, and stormwater development projects in the future. Ms. Herzon and Mr. Gawrylow will work on revised language and provide it to the committee at the next meeting.

<https://bismarcknd.gov/DocumentCenter/View/40224/Draft-Home-Rule-Charter-Language-Version-2>

4. Review The Proposed Fee Schedule And Tier Structure.

Time did not allow for discussion of item 4.

5. Discuss The Impacts To Other Political Subdivisions Such As Bismarck Public Schools And Bismarck Parks And Recreation District.

Time did not allow for discussion of item 5.

6. Next Meeting Of The Subcommittee Is April 11, 2022.

The meeting adjourned at 5:10 PM.

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